

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VINCENT M. GEORGE, JR. (#2013-0708145),)	
)	
Plaintiff,)	
)	
v.)	Case No. 14 C 8793
)	
THOMAS J. DART , et al.,)	
)	
Defendants.)	

MEMORANDUM

This Court has just received the Judge's Copy of a puzzling letter from prisoner plaintiff Vincent George, Jr. ("George"), dated March 24 and received in the Clerk's Office on March 30, in which George complains about an asserted lack of communication from the counsel that had been designated to represent him in this action that George had originated pro se. George's letter mistakenly characterizes his action as having been dismissed with prejudice when that is exactly the opposite of what this Court had ordered based on his designated counsel's oral representation.

For George's information this memorandum attaches copies of the September 29, 2015 transcript of proceedings ("Attachment 1") in this action and of the minute entry ("Attachment 2") memorializing the action's dismissal -- a dismissal without prejudice. If George believes that he has some unresolved grievance in that respect, he is therefore free to file a new 42 U.S.C. § 1983 complaint that makes clear just what he is now complaining about as an asserted violation of his constitutional rights (with more than six months having elapsed since the September

dismissal of this action, it is well past the date when he can seek reconsideration of that dismissal).¹

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style.

Milton I. Shadur
Senior United States District Judge

Date: April 4, 2016

¹ By way of a reminder of the principles governing such lawsuits by prisoners, George is advised that such a new lawsuit, if he seeks in forma pauperis status because he cannot pay the \$400 filing fee in advance, would carry with it the obligation to pay a \$350 filing fee in future installments (for that purpose George's new complaint would have to be accompanied by an In Forma Pauperis Application on the form made available by the Clerk's Office).

1 THE CLERK: 14 C 8793, George versus Cook County.

2 MR. SMOLA: Good morning, your Honor, Evan Smola
3 for the plaintiff. Judge, I finally spoke with Mr. George.
4 This was, as you might recall, a prisoner medical care case.

5 THE COURT: Yes, I know.

6 MR. SMOLA: He received his surgery. He is doing
7 well. We can enter a dismissal order today. I can enter --
8 either provide one to your Clerk via e-mail or to your
9 chambers, or if we just want to enter an order today, that is
10 fine with the plaintiff.

11 THE COURT: You want -- you want a written
12 dismissal order to particularize on it, or what?

13 MR. SMOLA: I don't really care as to the specifics
14 of the order. I mean I -- the only thing that I would be
15 concerned with is if Mr. George has some medical issue going
16 forward, that whatever this dismissal -- however it reads,
17 doesn't prejudice him from filing a case.

18 THE COURT: Well, I can simply on your oral motion
19 dismiss the action without prejudice. Is that all right?

20 MR. SMOLA: That would work for us. Thank you,
21 your Honor.

22 THE COURT: Okay. So I am entering an order on
23 this one dismissing the action without prejudice.

24 MR. SMOLA: Thank you.

25 THE COURT: And thank you for your services.

1 MR. SMOLA: I am happy he got care he needed, so
2 that is as much as we can ask for for him.

3 THE COURT: Right. Thanks again.

4 THE CLERK: So it is dismissal without prejudice?

5 THE COURT: Without prejudice, yes.

6 Let me get the sheet here.

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**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.1
Eastern Division**

Vincent M George Jr.

Plaintiff,

v.

Case No.: 1:14-cv-08793

Honorable Milton I. Shadur

Thomas J Dart, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Tuesday, September 29, 2015:

MINUTE entry before the Honorable Milton I. Shadur: Status hearing held on 9/29/2015. On plaintiff's oral motion, this case is dismissed without prejudice. Attorney Christopher T. Harley has fulfilled his pro bono obligation. Mailed notice (clw,)

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